

REMARKS/ARGUMENTS

Claims 1, 3, 4, 23-25 and 27-30 are pending in this application. By this Amendment, claims 1, 3, 24 and 25 are amended, and claim 26 is cancelled. Support for the claims can be found throughout the specification, including the original claims and the drawings. Withdrawal of the rejections in view of the above amendments and the following remarks is respectfully requested.

I. Allowable Subject Matter

The Examiner is thanked for the indication that claims 27-30 are allowed, and that claim 4 would be allowable if rewritten in independent form. However, for the reasons set forth below, claim 4 has not been rewritten in independent form at this time.

II. Rejection Under 35 U.S.C. §112, First Paragraph

The Office Action rejects claims 24-25 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. It is respectfully submitted that the amendments to claim 24 are responsive to the Examiner's comments, and that claims 24-25 meet the requirements of 35 U.S.C. §112, second paragraph. Accordingly, the rejection should be withdrawn.

III. Rejection Under 35 U.S.C. §102(b)

The Office Action rejects claims 1, 3 and 25 under 35 U.S.C. §102(b) over U.S. Patent No. 3,295,908 to Dawley et al. (hereinafter "Dawley"). This rejection is respectfully traversed.

Independent claim 1 is directed to a door apparatus for a drawer of a drawer type refrigerator. The door apparatus includes a rotation limiter that selectively limits a rotation of the door with respect to the frame. The rotation limiter is positioned at a predetermined distance upward from an axis of rotation of the door. The rotation limiter includes at least one locking portion provided on the frame, and at least one corresponding tilting lock provided on the door, wherein when the door is tilted, the locking portion and the corresponding tilting lock are disengaged. Dawley neither discloses nor suggests such features, or the claimed combination of features.

Dawley discloses a drawer assembly for a refrigerator including an open frame 6 coupled to a rear surface of a drawer front 3. As the drawer front 3 pivots from a vertical position (shown in Figure 1 of Dawley) to a tilted position (shown in Figure 2 of Dawley), rotation of the drawer front 3 is stopped and a tilt angle of the drawer front 3 relative to the frame 6 is limited as a pin 28 on the drawer front 3 is caught at the end of a stop portion 27 of a bracket 25. The drawer front 3 is secured in its tilted position as a latch portion 32 of a latch member 30 drops into a slot 37. A spring member 38 biases the latch portion 32 in the slot 37 until movement of the drawer front 3 from the tilted position back to the vertical position causes a roller 16 to push the latch portion 32 out of the slot 37.

Dawley clearly discloses that the drawer front 3 rotates relative to the frame 6 at the bracket 25 that couples these elements, about an axis of rotation 31 that is intermediate, or central, between upper and lower edge portions 21 and 22 of the drawer front 3 (see column

2/line 69 – column 3/line 7 of Dawley). Thus, Dawley neither discloses nor suggests that the bracket 25, or coupler, rotatably couples a lower end of the drawer front 3, or door, to a lower front end of the frame 6, as does the coupler recited in independent claim 1.

Further, Dawley neither discloses nor suggests the claimed rotation limiter. Independent claim 1 requires that the rotation limiter be positioned at a predetermined distance upward from the axis of rotation of the door. As set forth above, the axis of rotation 31 is at the bracket 25 that couples the drawer front 3 and the frame 3. The latch member 30 and spring 38 (compared in the Office Action to the claimed rotation limiter) are clearly provided co-incident with the axis of rotation 31 of the drawer front 3, and not upward from the axis of rotation 31, as required by independent claim 1. Thus, Dawley neither discloses nor suggests the claimed rotation limiter.

Additionally, Applicants maintain the position set forth in the September 17, 2007 Amendment that the latch member 30 and spring 38 are improperly compared to the claimed rotation limiter. However, even if improperly compared, Dawley still neither discloses nor suggests the claimed at least one locking portion and at least one corresponding tilting lock. For example, Dawley's spring 38 (compared in the Office Action to the claimed tilting lock) is clearly provided in the frame 6, and not in the drawer front 3, or door, as is the claimed tilting lock. Further, independent claim 1 requires that the tilting lock (Dawley's spring 38) and locking portion (Dawley's latch member 30) be disengaged when the door (Dawley's drawer front 3) is tilted. However, as shown in Figure 2 of Dawley, the spring 38 exerts a force on the latch member 30 to keep the latch member 30 in the slot 37. Thus, the spring 38, or tilting lock, are

clearly engaged when the drawer front 3 is tilted, and not disengaged, as required by independent claim 1.

For all these reasons, it is respectfully submitted that Dawley neither discloses nor suggests a rotation limiter that includes at least one locking portion and at least one corresponding tilting lock as recited in independent claim 1. Accordingly, it is respectfully submitted that independent claim 1 is not anticipated by Dawley, and thus the rejection of independent claim 1 under 35 U.S.C. §102(b) over Dawley should be withdrawn. Dependent claims 3 and 25 are allowable at least for the reasons set forth above with respect to independent claim 1, from which they depend, as well as for their added features.

IV. Rejections Under 35 U.S.C. §103(a)

The Office Action rejects claims 23-25 under 35 U.S.C. §103(a) over Dawley in view of U.S. Patent No. 4,149,518 to Schmidt et al. (hereinafter "Schmidt"). This rejection is respectfully traversed.

Dependent claims 23-25 are allowable over Dawley at least for the reasons set forth above with respect to independent claim 1, from which they depend, as well as for their added features. Further, Schmidt is merely cited as allegedly teaching fixing a door in an upright position, and thus fails to overcome the deficiencies of Schmidt.

Further, Schmidt discloses an oven 1 having a door 4 with hinges 11 that allow the door 4 to rotate 180° about an axis separating lower and upper portions 5 and 6 of the door 4, as shown in Figure 2 of Schmidt. The upper portion 6 of the door 4 is locked in place when in the

vertical position (shown in Figure 1 of Schmidt). An actuator 8 including a series of tie rods and brackets and snaps (see column 2, lines 20-32 of Schmidt) is operated to release the lock and allow the upper portion 6 of the door 4 to rotate. Schmidt neither discloses nor suggests a rotation limiter that includes at least one locking portion and at least one corresponding tilting lock as recited in independent claim 1.

Accordingly, it is respectfully submitted that claims 23-25 are allowable over the applied combination, and thus the rejection of claims 23-25 under 35 U.S.C. §103(a) over Dawley and Schmidt should be withdrawn.

V. Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the **Joanna K. Mason**, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this,

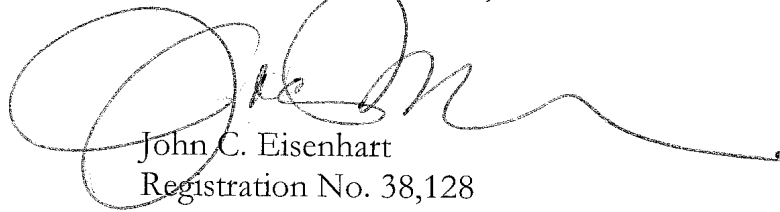
Serial No. **10/508,976**

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Reply to Office Action of November 27, 2007

concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
KED & ASSOCIATES, LLP

A handwritten signature in black ink, appearing to read 'John C. Eisenhart', with a long horizontal flourish extending to the right.

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